09/681,532

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wheeler, et al.	Art Unit: 2132
Application No.: 09/681532	Examiner: Venkatanarayanan Perungavoor
Filed: 4/24/2001	Attorney Docket No.: 800529
Title: System And Method For Determining User Identity Fraud Using Similarity Searching	

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.111

Introductory Comments

Dear Sir:

The Applicants thanks the Office for the consideration given the application in the Office

communication of November 18, 2004. The Office has rejected claims 12 and 25 as being

directed to non-statutory subject matter under 35 U.S.C. § 101. Applicants have canceled claims

12 and 25 and rewritten claims 12 and 25 as new claims 27 and 28 directed to statutory subject

matter. Applicants have amended claims 1, 2, 10, 11, 13, 18, 21, 22 and 26. Applicants have also

added new claims 29 and 30. No new matter has been added to the specification by these

amendments. The Office has rejected claims 1, 3-8, 14-17 and 26 under 35 U.S.C. § 102(b) as

being anticipated by U.S. Patent No. 5,774,650 to Chapman et al. Applicants believe that the

Office has not established a *prima facie* case for anticipation, since there are patentably

distinguishable claimed features between the invention represented by these claims and reference

disclosure of Chapman et al. The Office has also rejected claims 2, 9-11, 13, and 18-24 under 35

U.S.C. § 103(a) as being unpatentable over Chapman et al. (U.S. Patent No. 5,774,650) in view

of U.S. Patent No. 6,026,398 to Brown et al. Applicants believe that the Office has not established a *prima facie* case for obviousness, since the prior art references of Chapman and Brown, when combined, do not teach or suggest all limitations of these claims. Entering of the following amendments, reconsideration and reexamination of the application is requested.